

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CORTEZ DAUNDRE JONES,

Plaintiff,

v.

FIDELITY INVESTMENTS,

Defendant.

CASE NO. 2:23-cv-01149-LK

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DENYING IFP APPLICATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Brian A. Tsuchida, recommending denial of pro se Plaintiff Cortez Jones’ application to proceed *in forma pauperis* (“IFP”), as well as Mr. Jones’ amended IFP application. Dkt. Nos. 4, 9. In response to Mr. Jones’ initial IFP application, Dkt. No. 1, Judge Tsuchida recommended directing Mr. Jones to pay the usual filing fee and to close the case if he failed to do so. Dkt. No. 4 at 2.

On August 21, 2023, following the filing of Mr. Jones’ deficient amended IFP application, the Court permitted Mr. Jones 30 days to file a second amended IFP application to provide complete and detailed financial information so that the Court could properly analyze his IFP

1 request. Dkt. No. 10 at 2. The Court cautioned Mr. Jones that failing to timely submit a revised  
2 IFP application would result in the Court’s adopting Judge Tsuchida’s recommendation that he be  
3 required to pay the normal filing fee in order to continue this case. *Id.*

4 On August 30, 2023, Mr. Jones filed a one-page, blanket objection to the pending R&Rs  
5 related to his IFP applications in the dozens of cases he has filed in this district in recent weeks.  
6 Dkt. No. 11. On September 8, 2023, however, the Court entered a minute order informing Mr.  
7 Jones that his August 30 filing did not comport with the specific directives outlined in the Court’s  
8 August 21, 2023 Order, and that the deadline set in that Order remained in effect. Dkt. No. 13 at 2  
9 (cautioning Mr. Jones that “[i]f he fails to submit a revised IFP application in this case on or before  
10 September 20, 2023, he will be required to pay the normal filing fee in order to continue this  
11 case.”).<sup>1</sup>

12 To date, Mr. Jones has not responded to the Court’s orders and the Court therefore denies  
13 his IFP application. Dkt. No. 9; *see United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981)  
14 (per curiam) (“When a claim of poverty is made under section 1915 it is proper and indeed essential  
15 for the supporting affidavits to state the facts as to affiant’s poverty with some particularity,  
16 definiteness and certainty,” and it is “within the court’s discretion to . . . deny the motion when the  
17 [movant is] unable, or unwilling, to verify their poverty.” (cleaned up)).

18 Mr. Jones must pay the usual case filing fee within 21 days of this Order. If he fails to pay  
19 the filing fee, the Court will direct Clerk of Court to close this case. *See Hopkins v. Tacoma Mun.*  
20 *Ct.*, 393 F. App’x 476, 477 (9th Cir. 2010) (affirming dismissal for failure to follow the district  
21 court’s order to pay the case filing fee); Fed. R. Civ. P. 41(b) (permitting dismissal for failure to  
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23 <sup>1</sup> The Court notes that the Ninth Circuit has held that a plaintiff is not entitled to submit written objections to a  
24 Magistrate Judge’s report and recommendation that IFP status be denied. *Minetti v. Port of Seattle*, 152 F.3d 1113,  
1114 (9th Cir. 1998) (per curiam).

1 comply with court orders). The Clerk is directed to send copies of this Order to Mr. Jones at his  
2 last known address and to Judge Tsuchida.

3 Dated this 22nd day of September, 2023.

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5 Lauren King  
6 United States District Judge  
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